

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

IN THE MATTER OF:

Danny D Knighten
Tammy L Knighten

CASE NO. 24-80816-CRJ-13

CHAPTER 13

SSN XXX-XX-0575 SSN XXX-XX-1887
DEBTORS

TRUSTEE'S MOTION TO DISMISS

COMES NOW, Michele T. Hatcher, the Trustee in the above styled case, and states:

1. The Debtors filed for relief under Chapter 13 of the U.S. Bankruptcy Code on May 2, 2024 with the first plan payment due June 1, 2024. The Debtors failed to continue plan payments and is currently in default \$281 through July 2024.
2. In order to pay the scheduled and filed secured claims in full, Plan payments must increase to \$614 per month beginning August 2024 with fixed payments adjusted accordingly. The Debtors' monthly disposable income is \$280 per month as stated in their schedules. Based upon this information, the Trustee alleges the Debtors' proposed Chapter 13 Plan is not feasible.
3. The Debtors failed to accurately report on the Plan and on Schedule D the collateral securing the debt owed to 1st Franklin Financial.
4. The proposed fixed monthly payments provided for on the Debtors' Plan fail to amortize the secured claims during the term of the Plan.

WHEREFORE, the Trustee moves that the subject case be dismissed.

Done this 25th day of July, 2024.

/s/ Michele T. Hatcher
Michele T. Hatcher, Trustee
P.O. Box 2388
Decatur, AL 35602-2388
256-350-0442

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of July, 2024, I have served a copy of the foregoing on the parties listed below by depositing the same in the United States Mail, postage prepaid and properly addressed, or if the party being served is a registered participant in the CM/ECF System for the United States Bankruptcy Court for the Northern District of Alabama, service has been made by a "Notice of Electronic Filing" pursuant to FRBP 9036 in accordance with subparagraph II.B.4 of the Court's Administrative Procedures.

Danny D Knighten
Tammy L Knighten
2040 Fussell St
Town Creek, AL 35672

MELISSA W MITCHELL
MELISSA WIMBERLY LAW PC
521 MADISON STREET STE 201
HUNTSVILLE, AL 35801

/s/ Michele T. Hatcher
Michele T. Hatcher, Trustee